

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

070365-0019

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLIC. NO. (if known, see 37 CFR 1.5)
Not yet assigned

20/561386

INTERNATIONAL APPLICATION NO PCT/JP2004/012458	INTERNATIONAL FILING DATE August 24, 2004	PRIORITY DATE CLAIMED August 25, 2003
TITLE OF INVENTION FUEL CELL SYSTEM, METHOD OF STARTING FUEL CELL SYSTEM		
APPLICANTS FOR DO/EO/US Junji MORITA, Makoto UCHIDA, Yasushi SUGAWARA, Takayuki URATA, Shinya KOSAKO, Takahiro UMEDA, Soichi SHIBATA, Yoichiro TSUJI, Masataka OZEKI, Akinari NAKAMURA, Yoshikazu TANAKA		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached herewith (required only if not transmitted by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US)
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not transmitted by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendment has NOT expired.
 - d. have not been made and will not be made.
8. An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A preliminary amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. A second copy of the English translation of the International Application under 35 U.S.C. 154(d)(4).
20. Other items or information.
 - 1) Front page of International Application
 - 2) International Search Report (w/ English Translation)
 - 3) Japanese Language Specification and Figures
 - 4) Notification of Change of Person
 - 5) PCT/RO/105
 - 6) PCT/IB/304
 - 7) PCT/IB/306
 - 8) PCT Request

IAPS Rec'd PCT/PTO 19 DEC 2005

U.S. APPLIC. NO. (if known, see 37 CFR 1.50) Not yet assigned		INTERNATIONAL APPLICATION NO. PCT/JP2004/012458		ATTORNEY'S DOCKET NUMBER 070365-0019	
10/561386				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> The following fees are submitted:					
<input checked="" type="checkbox"/> Basic National Stage Fee		\$300		\$300	
22. <input checked="" type="checkbox"/> Examination Fee If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)		\$0			
All other situations		\$200		\$200	
23. <input checked="" type="checkbox"/> Search Fee (37CFR 1.492(b))					
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)		\$0			
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100			
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB		\$400			
All other situations		\$500			
TOTAL OF 21, 22 and 23 =				\$900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction Thereof (round up to a whole number)	RATE		
262-100	162/50=	4	X\$250	\$1000	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims		-20 =		x \$50.00	\$
Independent Claims		-3 =		x \$200.00	\$
Multiple dependent claim(s) (if applicable)				+ \$360.00	\$360
TOTAL OF ABOVE CALCULATIONS =				\$2260	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	
				SUBTOTAL =	\$2260
Processing fee of \$130.00 for furnishing the English translation later than the 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
				TOTAL NATIONAL FEE =	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
				TOTAL FEES ENCLOSED =	\$2260
				Amount to be refunded	\$
				Amount to be charged	\$2260
a. <input type="checkbox"/>	A check in the amount of \$ _____ to cover the above fees is enclosed.				
b. <input checked="" type="checkbox"/>	Please charge my Deposit Account No. <u>500417</u> in the amount of \$ <u>2260</u> to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>500417</u> . A duplicate copy of this sheet is enclosed.				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Customer Number 20277					
Telephone: 202.756.8000					
Facsimile: 202.756.8087					
SIGNATURE Michael E. Fogarty NAME 36,139 REGISTRATION NUMBER					